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TECH CENTER 1660/2000  
Patent Attorney's Docket No. 001560-377

#23  
Decl  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                             |   |                         |
|-----------------------------|---|-------------------------|
| In re Patent Application of | ) |                         |
|                             | ) |                         |
| Keiko SAKAKIBARA et al      | ) | Group Art Unit: 1638    |
|                             | ) |                         |
| Serial No.: 09/446,089      | ) | Examiner: A. Nelson     |
|                             | ) |                         |
| Filed: December 17, 1999    | ) | ATTENTION: BOX SEQUENCE |
|                             | ) |                         |
| For: GENE ENCODING PROTEIN  | ) |                         |
| HAVING AURONE               | ) |                         |
| SYNTHESIZING ACTIVITY       | ) |                         |

**DECLARATION PURSUANT TO**  
**37 C.F.R. §§1.821-1.825**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Dawn M. Gardner, declare as follows:

1. That the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively, are the same in compliance with §1.821(f).
2. That the submission, filed in accordance with 37 C.F.R. §1.821(g)[or (h)], herein does not include new matter [or go beyond the disclosure in the international application].

Serial No.: 09/446,089

3. That the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), is identical to that originally filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements were made on information and belief and are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

June 1, 2001  
Date

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